

**MINUTES OF THE COURT OF APPEAL
SECOND APPELLATE DISTRICT
STATE OF CALIFORNIA**

January 3, 2000

DIVISION ONE

B132027 People (Not for Publication)
v.
Hugo Antonio G.

The order under review is affirmed.

Masterson, J.

We concur: Spencer, P.J.
Ortega, J.

[illegible]

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.
Ortega, J.

B124377 Whitney (Not for Publication)
v.
City of Los Angeles
Shlomo Botiach

The judgment is affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

January 3, 2000-Continued

DIVISION ONE (Continued)

B129298 Sandhu (Not for Publication)
v.
Westlake Bay Homeowners Association et al.

The judgment and order directing issuance of a writ of mandate is affirmed.

Masterson, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

DIVISION TWO

B131506 People (Not for Publication)
v.
Trinh

The judgment is modified to reflect an additional 21 days of actual custody credit and an additional 10 days of conduct credit. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Mallano, J. (Assigned)

B127211 People (Not for Publication)
v.
Vasquez

The judgment is reversed, the order of commitment is vacated, and the petition is dismissed.

Boren, P.J.

We concur: Nott, J.
Mallano, J. (Assigned)

January 3, 2000-Continued

DIVISION TWO (Continued)

B128233 People (Not for Publication)
v.
Hassanshahi

The Court:

The order appealed from is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

B128711 People (Not for Publication)
v.
Beaudion

The Court:

The judgment is modified to impose a \$200 restitution fine pursuant to section 1202.4, subdivision (b) and a \$200 parole revocation fine pursuant to section 1202.45, the latter fine to be suspended unless appellant's parole is revoked. The abstract of judgment is to be amended to reflect these fines. In all other respects, the judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

B123575 People (Not for Publication)
v.
Grajeda

The judgment is modified to reflect imposition of a \$200 parole revocation fine (Pen. Code, § 1202.45), a \$50 laboratory analysis fee (Health & Saf. Code, § 11372.5, subd. (a)), a \$50 state penalty assessment (Pen. Code, § 1464), and a \$35 county penalty assessment (Gov. Code, § 76000). The trial court is directed to prepare an amended abstract of judgment to reflect these fines and fees, and also to reflect the \$200 restitution fine (Pen. Code, § 1202.4, subd. (b)) which it had previously imposed. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Cooper, J.

January 3, 2000-Continued

DIVISION TWO (Continued)

B126432 Valencia (Not for Publication)
v.
Garcia et al.

The judgment in favor of Valencia on the complaint is reversed and the cause is remanded to the trial court to consider an award of attorney fees to the Garcias. No appeal is taken from the judgment in favor of the Garcias on the cross-complaint and that portion of the judgment remains in full force and effect. Costs on appeal are awarded to the Garcias.

Boren, P.J.

We concur: Cooper, J.
Mallano, J. (Assigned)

B123429 Eriksson et al. (Not for Publication)
v.
Buckly et al.

The judgment is affirmed. Respondent(s) to recover costs.

Boren, P.J.

We concur: Nott, J.
Mallano, J. (Assigned)

B128328 People (Not for Publication)
v.
Ailep

The judgment is reversed.

Boren, P.J.

We concur: Zebrowski, J. (Assigned)
Mallano, J. (Assigned)

January 3, 2000-Continued

DIVISION TWO (Continued)

B127192 People (Not for Publication)
v.
Barger

The matter is remanded for resentencing in accordance with the views expressed herein (i.e., the trial court has full discretion to exercise all sentencing options). In all other respects, the judgment is affirmed. The clerk of the court is directed to ensure that the abstract of judgment reflects the fines imposed.

Boren, P.J.

We concur: Nott, J.
Mallano, J. (Assigned)

DIVISION FOUR

106897-99

The HONORABLE ELIHU M. BERLE, Judge of the Los Angeles Superior Court, Los Angeles County, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Four, as a Justice thereof, on the following dates:

January 3, 2000 To March 31, 2000

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: December 6, 1999

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

DIVISION FOUR (Continued)

January 3, 2000-Continued

B131939 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Jeri D.

The ordering terminating reunification services and judgment (order terminating parental rights) is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
 Dau, J. (Assigned)

B120837 People
 v.
 Martinez

Filed order granting petition for rehearing. Supplemental briefing ordered.

B125400 W.H. House
 v.
 A.E. Alexander

Filed order denying petition for rehearing.

DIVISION FIVE

B130102 People
 v.
 Juan Martinez Delira

Filed order denying petition for rehearing.

DIVISION SEVEN

B120376 People
 v.
 Cottle

Filed order denying petition for rehearing.

B126765 People (Not for Publication)
 v.
 Patterson

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
 Woods, J.

B125299 People (Not for Publication)
 v.
 Ruiz

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.
 Neal, J.

B127679 People (Not for Publication)
 v.
 Ornelas

The judgment (order revoking probation) is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.
 Neal, J.

DIVISION SEVEN (Continued)

January 3, 2000-Continued

B127889 People (Not for Publication)
v.
Harris

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.
Neal, J.

B129668 People v. Lippel (Not for Publication)

The order (order revoking probation) is affirmed.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

B132507 People (Not for Publication)
v.
David D.
In re David D.

The order under review is affirmed.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

DIVISION SEVEN (Continued)

B134980 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Madeleine W.
In re Jonathan W.

Accordingly, we deem the appeal the abandoned and order the appeal dismissed. (*In re Sade C.* (1996) 13 Cal.4th 952.)

Johnson, J.

We concur: Lillie, P.J.
Neal, J.

B131401 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Dylan A.,
In re Dylan A.,

Accordingly, we deem the appeal abandoned and order the appeal dismissed. (*In re Sade C* (1996) 13 Cal.4th 952.)

Johnson, J.

We concur: Lillie, P.J.
Neal, J.

B128434 Bryan (Not for Publication)
v.
Orrock

The tolling in this case ended with issuance of the remittitur on July 14, 1997, and the one year statute of limitations began to run. Appellant did not sue until July 22, 1998, more than a year later; and his suit was time-barred.

Neal, J.

We concur: Lillie, P.J.
Woods, J.